



1 hr / 2618

PTO/SB/21 (09-04)  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/929,979
	Filing Date	August 15, 2001
	First Named Inventor	Noah J. Ternullo
	Art Unit	2618
	Examiner Name	Tu X. Nguyen
Total Number of Pages in This Submission	Attorney Docket Number	12078-141

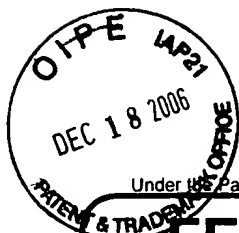
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Compact Disc enclosing copies of all cited references; return postcard.	
<b>Remarks</b> Supplemental Information Disclosure Statement letter; Form PTO 1449		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Burns & Levinson LLP		
Signature	<i>David W. Gomes</i>		
Printed name	David W. Gomes		
Date	December 14, 2006	Reg. No.	27,640

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>David W. Gomes</i>		
Typed or printed name	David W. Gomes	Date	December 14, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 180.00

## Complete if Known

Application Number	09/929,979
Filing Date	August 15, 2001
First Named Inventor	Noah J. Ternullo
Examiner Name	Tu X. Nguyen
Art Unit	2618
Attorney Docket No.	12078-141

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 03-2410 (Order 12078-141)

Deposit Account Name Perkins Smith & Cohen LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ ) 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65		Surcharge - late filing fee or oath	
1052 50	2052 25		Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130		Non-English specification	
1812 2,520	1812 2,520		For filing a request for ex parte reexamination	
1804 920*	1804 920*		Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*		Requesting publication of SIR after Examiner action	
1251 110	2251 55		Extension for reply within first month	
1252 430	2252 215		Extension for reply within second month	
1253 980	2253 490		Extension for reply within third month	
1254 1,530	2254 765		Extension for reply within fourth month	
1255 2,080	2255 1,040		Extension for reply within fifth month	
1401 340	2401 170		Notice of Appeal	
1402 340	2402 170		Filing a brief in support of an appeal	
1403 300	2403 150		Request for oral hearing	
1451 1,510	1451 1,510		Petition to institute a public use proceeding	
1452 110	2452 55		Petition to revive - unavoidable	
1453 1,330	2453 665		Petition to revive - unintentional	
1501 1,370	2501 685		Utility issue fee (or reissue)	
1502 490	2502 245		Design issue fee	
1503 660	2503 330		Plant issue fee	
1460 130	1460 130		Petitions to the Commissioner	
1807 50	1807 50		Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180		Submission of Information Disclosure Stmt	180
8021 40	8021 40		Recording each patent assignment per property (times number of properties)	
1809 790	2809 395		Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395		For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395		Request for Continued Examination (RCE)	
1802 900	1802 900		Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 180.00

## SUBMITTED BY

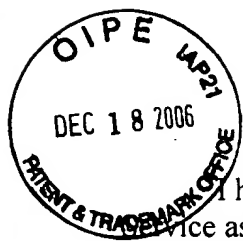
(Complete if applicable)

Name (Print/Type)	David W. Gomes	Registration No. (Attorney/Agent)	27,640	Telephone	617-345-3000
Signature		Date	December 14, 2006		

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## CERTIFICATE OF MAILING

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David W. Gomes  
Reg. No. 27,640

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Noah J. Ternullo et al.

Serial Number: 09/929,979

Filed: August 15, 2001

Title: METHOD AND APPARATUS FOR DETERMINING  
THE CONTEXT OF A HANDHELD DEVICE

Attorney Docket No.: 12078-141

Examiner: Tu X. Nguyen

Group Art Unit: 2618

Confirmation No. 2164

BURNS & LEVINSON LLP  
125 Summer Street  
Boston, MA 02110  
(617) 345-3000

To: Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Supplemental Information Disclosure Statement (Form PTO-1449) is submitted under 37 CFR 1.97(c)(2), including copies of the cited references. Applicants have herein provided, on the enclosed Compact Disc, copies of the patents and publications listed in the attached USPTO Form 1449. The MPEP does not prohibit the use of a Compact Disc to provide copies as required in MPEP § 198(d). Therefore, Applicants request that this Information Disclosure Statement be entered and that the patents and publications herein submitted be reviewed.

12/19/2006 EAYALEW1 00000027 032410 09929979

01 FC:1806 180.00 DA

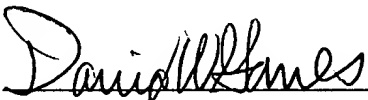
Applicants submit herewith a Supplemental Information Disclosure Statement under 37 CFR 1.97(c)(2) before the mailing of a final office action. In view thereof, a fee in the amount of \$180.00 is enclosed. The Commissioner for Patents is authorized to charge the fee of \$180.00 to Deposit Account No. 03-2410, Order No. 12078-141, and to also charge any deficiency or credit any overpayment of fees to Deposit Account No. 03-2410, Order No. 12078-141.

The following information is presented in the event that a call may be deemed desirable by the Examiner:

DAVID W. GOMES (617) 345-3000.

Respectfully submitted,  
Noah J. Ternullo et al., Applicants

Dated: December 14, 2006

By:   
David W. Gomes  
Reg. No. 27,640  
Attorney for Applicants



**FORM PTO-1449**  
**U.S. DEPARTMENT OF COMMERCE**  
**PATENT AND TRADEMARK OFFICE**

ATTORNEY DOCKET NO.: 12078-141

APPLICATION SERIAL NO.: 09/929,979

GROUP ART UNIT: 2618

PUBLICATION NO.: 2002-0039882

APPLICANT: Noah J. Ternullo

EXAMINER: Tu X. Nguyen

FILING DATE: August 15, 2001

CONFIRMATION NO.: 2164

RE: METHOD AND APPARATUS FOR DETERMINING THE CONTEXT OF A HANDHELD  
 DEVICE

**U.S. PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	NAME	CLASS/SUB-CLASS	FILING DATE IF APPROPRIATE
	5,912,752	6/15/1999	Mollett et al.	359/137	6/26/1996
	5,982,520	11/9/1999	Weiser et al.	359/172	3/28/1996
	6,065,681	5/23/2000	Trueggelmann	235/487	1/29/1998
	6,094,724	7/25/2000	Benhammou et al.	713/202	11/26/1997
	6,101,483	8/8/2000	Petrovich et al.	705/26	5/29/1998
	6,650,451*	9/18/2003	Byers et al.	359/159	8/24/1999
	20020083179*	6/27/2002	Shaw et al.	709/227	11/21/2000

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NO.	DATE	APPLICANT NAME	CLASS/SUB-CLASS	TRANSLATION YES NO
	DE 19718904A1	12/11/98	Kosel	G06F 17/60	X
	EP 0837406A2	4/22/98	Klein et al.	G06F 17/30	X
	EP 0552861A2	7/28/1993	Davida et al.	H03M 13/00	X
	WO 98/18094A1	4/30/98	Teicher	G06F 17/60	X

**OTHER DOCUMENTS**

(Including Author, Title, Date, Pertinent Pages, etc.)

1.	Böhm, K., <i>On Extending the XML Engine with Query-Processing Capabilities</i> , 2000, IEEE 0-7685-0659-3/00.
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\* These patents are representative of the state of the art but published after or less than one year prior to Applicant's priority date. Therefore, if any such item is considered sufficiently relevant by the Examiner to the present invention, its possible "prior art" status against the present invention should be considered individually allowing for the prospect of swearing back or other priority determination.

**EXAMINER****DATE CONSIDERED**